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TAGS: [PHUM](#) [PGOV](#) [UNHRC](#) [CE](#)  
SUBJECT: MANEUVERING INTENSIFIES ON SRI LANKA IN  
GENEVA-BASED HUMAN RIGHTS BODIES

REF: 07 GENEVA 2110

Classified By: Political Counselor Michael Klecheski. Reasons: 1.4(b/d  
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11. (C) SUMMARY: The Sri Lanka Government is continuing its efforts to forestall action by Geneva-based UN bodies on its human rights situation. Most recently, in a January 11 meeting with High Commissioner for Human Rights Arbour, Sri Lanka's human rights minister reiterated the GoSL position that the Office of the High Commissioner should work through national human rights bodies rather than have an independent monitoring role. Meanwhile, Sri Lanka has continued to press its public relations campaign in Geneva even as the EU begins to consider either reintroducing a resolution condemning Colombo's human rights policies or calling a special session of the Council on the issue. END SUMMARY.

A MUCH-DISCUSSED TOPIC  
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12. (U) Sri Lanka's deteriorating human rights situation has been a subject of frequent attention in Geneva. After a flurry of activity in the run-up to the Council's September session (reftel), UN High Commissioner for Human Rights Louise Arbour visited the country in October in hopes of gaining agreement to expand the presence on the ground of her Office of the High Commissioner for Human Rights (OHCHR). She came away empty-handed, and subsequent GoSL-OHCHR negotiations made no progress. Arbour's report to the Council's December session expressed disappointment with that outcome while noting deep concern with human rights developments in the country. Seeking to counter her arguments, Sri Lanka deployed its Minister for Disaster Management and Human Rights, Mahinda Samarasinghe, to Geneva to explain the government's position on the margins of the session. Samarasinghe and Sri Lanka's ambassador got an icy reception from members of the Council's Western Group when they argued that virtually no country with an OHCHR office benefited from its activities.

SRI LANKA CONTINUES STONEWALLING ON OHCHR  
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13. (C) The negotiations on the OHCHR presence have continued. As part of those negotiations, and perhaps in part to explain Sri Lanka's position following the end of its cease-fire, the GoSL again sent Samarasinghe to Geneva, where he held a January 11 meeting with Arbour. OHCHR Asia Department head Rory Mungoven told us the meeting produced nothing new. Samarasinghe, while acknowledging the shortcomings of his country's Human Rights Commission, continued to encourage OHCHR work through national human rights structures, arguing that this was the only acceptable

option from the GoSL's perspective. (Note: OHCHR's International Coordination Committee demoted Sri Lanka's national commission on December 11 from "A" to "B" status, disqualifying it from speaking at Council sessions but, contrary to reports in the Colombo press, not depriving Sri Lanka of its vote in the Council.)

¶4. (C) Arbour similarly stuck with her position, insisting on the need for an independent OHCHR role in monitoring human rights in the country and rejecting any hybrid arrangements. She also rejected Samarasinghe's appeals that their meeting be publicized as an example of constructive dialogue between Sri Lanka and the OHCHR. Indeed, Arbour made no public statement about the meeting.

¶5. (C) According to Mungoven, Arbour would be satisfied with a modest OHCHR presence on the ground, as long as it retained its independence. OHCHR's arrangements in Nepal provided a good model, though at least initially, an effort far smaller in scope would be acceptable from Arbour's viewpoint.

¶6. (C) Mungoven said that Arbour saw time as on her side and would remain firm. She would continue to highlight Sri Lanka's deteriorating human rights situation (as she did in a January 15 press release reminding both the GoSL and Tamil Tigers of their international law obligations once the cease-fire goes into effect). She also saw the Council's March session as an opportunity for her and others to spotlight the problem and exert additional pressure on Colombo.

#### GROWING EU IMPATIENCE WITH SRI LANKA

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¶7. (C) According to Belgium's Deputy PermRep, the EU is beginning to think about firm action on Sri Lanka in the Council. At the December session, the EU limited itself to updating an earlier draft resolution on Sri Lanka that it had never tabled. Looking ahead, our Belgian interlocutor told us that many in the EU believe the prospects for passing a resolution are weak but that a Council special session (which requires support from only one-third of member states to be convened) appears a more promising avenue to pursue. The success of the Council's special session on Burma in October had helped shape EU thinking on addressing Sri Lanka's human rights problems. Our interlocutor added in a January 18 conversation, however, that a Sri Lanka session would not take place in the next few weeks, particularly given the likelihood that the Council will hold a special session on Israel within that timeframe at the initiative of the OIC.

#### COMMENT

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¶8. (C) Although EU delegations in Geneva are demonstrating growing impatience with Sri Lanka's stance toward the OHCHR, it is unclear if the EU will move to hold a special session or press for a resolution on the subject. Meanwhile, the GoSL is certain to continue pressing its case in Geneva, as it has been doing aggressively to date.

TICHENOR